

SENATE BILL No. 391

May 2, 1989, Introduced by Senators KELLY, DI NELLO,
J. HART and FESSLER and referred to the Committee on
Regulatory Affairs.

A bill to amend section 4 of Act No. 8 of the Public Acts of
the Extra Session of 1933, entitled as amended
"The Michigan liquor control act,"
being section 436.4 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 8 of the Public Acts of the
2 Extra Session of 1933, being section 436.4 of the Michigan
3 Compiled Laws, is amended to read as follows:

4 Sec. 4. ~~Exceptions to act. The provisions of this~~ THIS
5 act ~~shall~~ DOES not ~~be construed to~~ prevent ~~the~~ ANY OF THE
6 FOLLOWING:

7 (A) THE manufacture of cider from fruit, for the purpose of
8 making vinegar, and ~~non-intoxicating~~ NONINTOXICATING cider and
9 fruit juice for use and sale. ~~, and cider and~~ CIDER OR fruit
10 juice shall be ~~deemed non-intoxicating~~ CONSIDERED

1 NONINTOXICATING within the meaning of this act when used ~~and/or~~
2 OR sold within 30 days after ~~the~~ ITS manufacture. ~~thereof,~~
3 ~~and this act shall not apply to wine~~

4 (B) WINE or cider of any alcoholic content made on the
5 premises by the owner or lessee of ~~such~~ THE premises, ~~provided~~
6 ~~such~~ IF THE premises are used and occupied by ~~such~~ THE owner
7 or lessee as a dwelling and ~~such~~ THE wine or cider is made for
8 family use and home consumption. ~~or to prevent the~~

9 (C) THE sale or gift, or keeping and storing for sale by
10 druggists, ~~and~~ general merchants, ~~and~~ OR others of any of the
11 medicinal preparations manufactured in accordance with the for-
12 mulas prescribed by the United States pharmacopoeia and national
13 formulary, patent, or proprietary preparations, and other bona
14 fide medicinal and technical preparations, which contain no more
15 alcohol than is necessary to extract the medicinal properties of
16 the drugs contained in ~~such~~ THE preparations; and no more alco-
17 hol than is necessary to hold the medicinal agents in solution
18 and to preserve the ~~same~~ MEDICINAL AGENTS, which are manufac-
19 tured and sold as medicine and not as beverages, are unfit for
20 use for beverage purposes, and the sale of which does not now
21 require the payment of a United States liquor dealer's tax. ~~or~~
22 ~~or to prevent the~~

23 (D) THE manufacture and sale of tinctures or of toilet,
24 medicinal, and antiseptic preparations and solutions not intended
25 for internal human use nor to be sold as beverages, and which are
26 unfit for beverage purposes, and upon the outside of each bottle,
27 box, or package of which is printed in the English language,

1 conspicuously and legibly, the quantity by volume of alcohol in
 2 ~~such~~ THE preparations; or ~~to prevent~~ the manufacture and
 3 keeping for sale of the food product known as flavoring extracts
 4 which shall be so manufactured and sold for cooking, culinary, or
 5 flavoring purposes, and are unfit for use as a beverage or for
 6 beverage purposes. ~~:- Provided, That~~ HOWEVER, it shall not be
 7 lawful to manufacture or sell any toilet, medicinal, or antiseptic
 8 preparations or solutions, or any flavoring extracts or
 9 patent or proprietary medicines or preparations, the manufacture
 10 and sale of which now requires the payment of a United States
 11 liquor dealer's tax, except as ~~herein~~ provided ~~:- Provided~~
 12 ~~further, That nothing in this act shall apply to the~~ IN THIS
 13 ACT.

14 (E) THE manufacture ~~and/or~~ OR sale of ethyl, mechanical,
 15 or industrial alcohol, not used for or made unfit for beverage
 16 purposes. ~~:- And provided further, That this act shall not~~
 17 ~~apply to the~~

18 (F) THE purchase of alcoholic liquor ~~as defined in this~~
 19 ~~act,~~ for use in the manufacture of toilet, medicinal, or antiseptic
 20 preparations or solutions, or any flavoring extract or
 21 patent or proprietary medicines or preparations, by a manufacturer
 22 using ~~such~~ THE alcoholic liquor exclusively for ~~such~~
 23 THOSE manufacturing purposes and duly licensed therefor by the
 24 commission; ~~said~~ WHICH license ~~to~~ SHALL expire on May ~~first~~
 25 1 following the date of issuance, issued on the payment of an
 26 annual fee of ~~10 dollars~~ \$10.00 and the furnishing of ~~such~~ A
 27 bond or bonds as the commission may require running to the people

1 of the state of Michigan, for the faithful performance of the
2 conditions of the license and compliance with ~~the provisions of~~
3 this act.

4 (G) CONFECTIONERY CONTAINING LESS THAN 5% ALCOHOL BY WEIGHT.

5 Section 2. This amendatory act shall not take effect unless
6 Senate Bill No. 390 of the 85th Legislature is enacted into law.